

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company
(U 39-E) for Adoption of its 2006 Energy Resource
Recovery Account (ERRA) Forecast Revenue
Requirement and for Approval of Its 2006
Ongoing Competition Transition Charge
Revenue Requirement and Rates.

Application 05-06-007
(Filed June 1, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
PROVIDING NOTICE OF A PREHEARING CONFERENCE,
REQUIRING PREHEARING CONFERENCE STATEMENTS, AND
ADDRESSING CERTAIN OTHER PROCEDURAL MATTERS**

Notice of Prehearing Conference

A prehearing conference (PHC) is set for 10:00 a.m., on August 10, 2005, at the Commission's Hearing Room, 505 Van Ness Avenue, San Francisco, California. The PHC will address the scope and schedule of this proceeding, the need for evidentiary hearings, and other procedural matters that may arise.

Submittal of Written PHC Statements

Parties that wish to participate in this proceeding shall file, serve, and email PHC statements by no later than August 4, 2005. The PHC statements should contain or address the following: (1) a list and description of disputed issues; (2) a list and description of resolved issues; (3) the appropriate category for this proceeding; (4) the schedule for this proceeding, with specific milestones and dates; and (5) the need for evidentiary hearings. Any party that requests evidentiary hearings shall provide the following in its PHC statement: (a) dates

for exchanging written testimony, holding hearings, submitting briefs, etc.; (b) a list and description of the factual issues to be addressed in the evidentiary hearings; (c) anticipated witnesses; and (d) anticipated discovery issues.

Service List, Filing Requirements, Electronic Service Protocols

The service list in Application (A.) 04-06-003 will serve as the temporary service list for the instant proceeding until a permanent service list is established at the PHC.¹ All those seeking to become parties in this proceeding shall attend the PHC and file an appearance. Those who plan to actively participate in the proceeding will be granted party status. Any others filing appearances will be granted Information Only or other appropriate status.

All filings in this proceeding shall be filed at the Commission's Docket Office and served pursuant to the Electronic Service Protocols attached to this ruling and consistent with Rules 2.3 and 2.3.1.

IT IS RULED that:

1. A prehearing conference (PHC) is set for 10:00 a.m., on August 10, 2005, at the Commission's Hearing Room, 505 Van Ness Avenue, San Francisco.
2. Parties that wish to participate in this proceeding shall file, serve, and email a written PHC statement by no later than Thursday, August 4, 2005. The PHC statements shall address the matters identified in the body of this Ruling.
3. Pending the taking of appearances at the PHC, the service list in Application 04-06-003 will serve as the temporary service list in this proceeding. A permanent service list will be established at the PHC.

¹ A.04-06-003 was the proceeding for PG&E's 2005 ERRA forecast revenue requirement.

4. All filings in this proceeding shall be filed at the Commission's Docket Office and served pursuant to the Electronic Service Protocols attached to this ruling and consistent with Rules 2.3 and 2.3.1.

Dated June 15, 2005, at San Francisco, California.

/s/ TIMOTHY KENNEY

Timothy Kenney
Administrative Law Judge

ATTACHMENT

ELECTRONIC SERVICE PROTOCOLS

These electronic service protocols are applicable to all “appearances” and individuals/organizations on the “state service” list that serve documents in this proceeding.

1. Party Status in Commission Proceedings

In accordance with Commission practice, by entering an appearance at a hearing or by other appropriate means, an interested party or protestant gains “party” status. A party to a Commission proceeding has certain rights that non-parties do not have. For example, a party has the right to participate in evidentiary hearings, file comments on a proposed decision, and appeal a final decision. A party also has the ability to consent to waive or reduce a comment period, and to challenge the assignment of an Administrative Law Judge (ALJ). Non-parties do not have these rights, even though they are included on the service list for the proceeding and receive copies of some or all documents.

Commission staff, divisions or branches, Legislators or their staff, and state agencies or their staff may participate under the “state service” category. They will be allowed to file comments or other documents on issues in this proceeding, at the direction of the assigned ALJ or Assigned Commissioner.

Those who request the “information only” category will receive all Commission-generated notices of hearings, rulings, proposed decisions, and Commission decisions at no charge. However, those on the “information only” list will not receive copies of pleadings or other filings in this proceeding, and may not comment on the issues in this proceeding unless they later apply for party status.

2. Service of Documents by Electronic Mail

For the purposes of this proceeding, all individuals in appearance and state service categories shall serve and accept documents by electronic mail (email). However, if email addresses are unavailable, paper copies shall be served by U.S. mail. **In addition, paper copies shall be served on the assigned ALJ and Assigned Commissioner.**

3. Notice of Availability

If a document, including attachments, exceeds 75 pages, parties may serve a Notice of Availability in lieu of all or part of the document, in accordance with Rule 2.3(c). However, paper copies of that document shall be served on the assigned ALJ and Assigned Commissioner.

4. Filing of Documents

These electronic service protocols govern service of documents only, and do not change the rules for the tendering of documents for filing. Documents for filing must be tendered in paper form as described in Rule 2, *et seq.*

5. Electronic Service Standards

As an aid to review of documents served electronically, appearances should follow these procedures:

- Merge into a single electronic file the entire document to be served (e.g., title page, table of contents, text, attachments, service list).
- Attach the document file to an electronic note.
- In the subject line of the note, identify the proceeding number, the party sending the document, and the abbreviated title of the document.
- Within the body of the note, identify the word processing program used to create the document if anything other than Microsoft

Word. (Commission experience is that most recipients can readily open documents sent in Microsoft Word 6.0/95.)

If the email is returned to the sender, or the recipient informs the sender of an inability to open the document, the sender shall immediately arrange for alternative service (regular U.S. mail shall be the default, unless another means, such as overnight delivery, is mutually agreed upon).

Parties should exercise good judgment regarding email service. For example, if a particularly complex matrix or table is attached to a document mailed electronically, and it can be reasonably foreseen that many parties will have difficulty printing the matrix or table, the sender should also serve paper copies by U.S. mail and indicate that in the electronic note.

6. Obtaining Up-to-Date Electronic Mail Addresses

The current service lists for active proceedings are available on the Commission's web page, www.cpuc.ca.gov. To obtain an up-to-date service list of email addresses, click on the "Service Lists" bar on the web page, scroll to find the proceeding number (e.g., A.05-06-007), and click on "List." To view and copy the email addresses for a service list, download the comma-delimited file and copy the column containing the email addresses.

The Commission's Process Office periodically updates service lists to correct errors or to make changes at the request of parties and non-parties on the list. Parties should copy the current service list from the web page (or obtain paper copy from the Process Office) before serving a document.

7. Pagination Discrepancies in Documents Served Electronically

Differences among word-processing software can cause pagination differences between documents served electronically and print outs of the original. (If documents are served electronically in PDF format, these differences

do not occur, although PDF files can be especially difficult to print out.) For the purposes of reference and/or citation, parties should use the pagination found in the original document.

(END OF ATTACHMENT)

CERTIFICATE OF SERVICE

I certify that I have this day served the attached Administrative Law Judge's Ruling Providing Notice of a Prehearing Conference, Requiring Prehearing Conference Statements, and Addressing Other Procedural Matters on all parties of record in the temporary service list of Application 04-06-003 or their attorneys of record by electronic mail to those who provided electronic mail addresses, and by U.S. mail to those who did not provide email addresses.

Dated June 15, 2005, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.